

PROB 12B
(7/93)

Report Date: November 17, 2010

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NOV 17 2010

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

Name of Offender: James Clifford Denton

Case Number: 2:10CR00149-001

Name of Sentencing Judicial Officer: The Honorable Garr M. King, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Lonny R. Suko, Chief U.S. District Judge

Date of Original Sentence: 3/22/2004

Type of Supervision: Supervised Release

Original Offense: Escape, 18 U.S.C. § 751(a)

Date Supervision Commenced: 9/20/2010

Original Sentence: Prison - 30 Months; TSR - 36
Months

Date Supervision Expires: 9/19/2013

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 15 You shall abstain from alcohol and illegal substances, and shall submit to urinalysis testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

CAUSE

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

James Denton was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Denton has agreed to the proposed modifications.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/17/2010

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

Prob 12B

Re: Denton, James Clifford

November 17, 2010

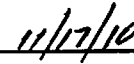
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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

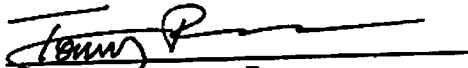
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

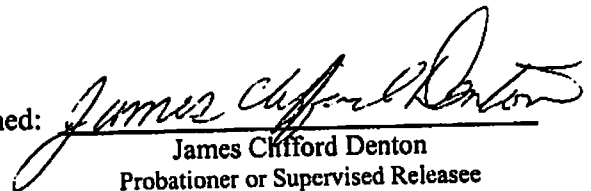
To modify the conditions of supervision as follows:

- 15 You shall abstain from alcohol and illegal substances, and shall submit to urinalysis testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Witness:


Tommy Rosser
U.S. Probation Officer

Signed:


James Clifford Denton
Probationer or Supervised Releasee

11/16/2010
Date